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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BOARD OF TRUSTEES OF THE CEMENT  
MASONS HEALTH AND WELFARE TRUST  
FUND FOR NORTHERN CALIFORNIA;  
BOARD OF TRUSTEES OF THE CEMENT  
MASONS VACATION-HOLIDAY TRUST  
FUND FOR NORTHERN CALIFORNIA;  
BOARD OF TRUSTEES OF THE CEMENT  
MASONS PENSION TRUST FUND FOR  
NORTHERN CALIFORNIA; and BOARD OF  
TRUSTEES OF THE CEMENT MASONS  
TRAINING TRUST FUND FOR NORTHERN  
CALIFORNIA,

Plaintiffs,

vs.

NEIL JACKSON CONSTRUCTION, a  
California company, formerly known as KM  
JACKSON ENGINEERING, a California  
company; and NEIL JEFFERY JACKSON, an  
Individual,

Defendants.

BOARD OF TRUSTEES OF THE  
LABORERS HEALTH AND WELFARE  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS PENSION TRUST FUND  
FOR NORTHERN CALIFORNIA; and  
BOARD OF TRUSTEES OF THE  
LABORERS TRAINING AND RETRAINING

Case No.: C 07 2842 BZ

**PLAINTIFFS' ADMINISTRATIVE  
MOTION TO RELATE CASES**

**Local Rule 3-12**

Case No.: C 07 2843 JL

1  
2 TRUST FUND FOR NORTHERN  
3 CALIFORNIA,

4  
5 Plaintiffs,

6 vs.

7 NEIL JACKSON CONSTRUCTION, a  
8 California company, formerly known as KM  
9 JACKSON ENGINEERING, a California  
company; and NEIL JEFFERY JACKSON, an  
Individual,

10 Defendants.

11 Counsel for Plaintiffs in the two actions, identified above, hereby submits this  
12 Administrative Motion to Relate Cases. Both cases are collection cases under 29 U.S.C.  
13 §§ 1132(a)(3) and 1132(e)(1) (§§ 502(a)(3) and 502(e)(1) of the Employee Retirement Income  
14 Security Act of 1974, as amended), known as ERISA.

15 The first matter, entitled Board of Trustees of the Cement Masons Health and Welfare  
16 Trust Fund for Northern California, et al. v. Neil Jackson Construction, A California company,  
17 formerly known as KM Jackson Engineering, a California company; and Neil Jeffery Jackson,  
18 an Individual, Case No. C 07 2842 BZ is a collection action brought by the Cement Masons  
19 Trust Funds against defendants for failure of the defendants to submit employee fringe benefit  
20 contributions on behalf of covered employees.

21 The second matter, Board of Trustees of the Laborers Health and Welfare Trust Fund for  
22 Northern California, et al. v. Neil Jackson Construction, A California company, formerly  
23 known as KM Jackson Engineering, a California company; and Neil Jeffery Jackson, an  
24 Individual, Case No. C 07 2843 JL a collection action brought by the Laborers Trust Funds  
25 against defendants for failure of the defendants to submit employee fringe benefit contributions  
26 on behalf of covered employees. The issues in these two cases are identical as they concern the  
27 obligation of the same defendants to pay into the two respective Trust Funds the employee  
28 fringe benefit contributions due and owing on behalf of their covered employees.

1 These cases will benefit by consolidation before a single judge. Consolidation will  
2 eliminate duplicate proceedings against the same defendants. The two Trust Funds are located  
3 in the same building and share the same auditor and management of their respective collections  
4 departments. The two Trust Funds are jointly administered. Consolidation of these two cases  
5 will promote efficiency in the use of testimony and exhibits prepared by plaintiffs Trust Funds.  
6 If the matters are not consolidated, this will result in a waste of judicial resources by requiring a  
7 duplication of hearings and motions before two separate judges. Consolidation will result in the  
8 uniform application of damages against the defendants.

9 Based on the foregoing, the respective Trust Funds request that these cases be  
10 consolidated.

11 DATED: June 4, 2007

12 BULLIVANT HOUSER BAILEY PC

13  
14 By   
15 Ronald L. Richman

16 Attorneys for Plaintiffs  
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